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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 SAM W. DONAGHE,

10 Plaintiff,

11 v.

12 SPECIAL COMMITMENT CENTER,  
13 WASHINGTON STATE  
14 DEPARTMENT OF SOCIAL AND  
15 HEALTH SERVICES,

16 Defendant.

Case No. C08-5491RBL/JKA

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

17 The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley  
18 Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby  
19 find and ORDER:

- 20 (1) The Court adopts the Report and Recommendation;
- 21 (2) The application to proceed *in forma pauperis* is **DENIED**. Plaintiff has thirty days  
22 from the date of this order to pay the full \$350.00 dollar filing fee. If the filing fee is  
23 not received in thirty days, the clerk's office is instructed to dismiss this action  
24 **WITHOUT PREJUDICE**

25 The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley  
26 Arnold and note a date on Judge Arnold's calendar thirty days from today so this action can be  
27 tracked.

28 DATED this 19<sup>th</sup> day of September, 2008.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE